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OK/HAV

Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. Cr.S. 04-104 DFL
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	RESETTING THE HEARING DATE
v.)	
)	
MARK ERCKERT,)	Date: December 14, 2006
)	Time: 10:00 a.m.
Defendants.)	Judge: Hon. David F. Levi
)	

The defendant Mark Erckert, by and through counsel Krista Hart, along with the plaintiff United States (government), by and through counsel Assistant U.S. Attorney Phil Ferrari, hereby stipulate and agree the trial confirmation hearing currently set for December 14, 2006, should be reset for January 4, 2007 at 10:00 a.m. The parties also stipulate and agree that the jury trial currently set to begin on January 8, 2007, be reset to begin on January 22, 2007 at 8:30 a.m.

It is further stipulated and agreed between the parties that the period of time from January 8, 2007, to January 22, 2007, should be excluded in computing the time within which the trial of the above criminal prosecution must commence for purposes of the Speedy Trial

Act. All parties stipulate and agree that this is an appropriate exclusion of time within the meaning of Title 18, United States Code, sections 3161(h) (8) (B) (iv) (Local Code T4).

December 11, 2006

/s/ Krista Hart
Attorney for Mark Erckert

December 11, 2006

McGREGOR SCOTT
United States Attorney

/s/ Phil Ferrari
Assistant U.S. Attorney
(Signed by Krista Hart, per e-mail)

O R D E R

FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.

DATED: December 11, 2006

/s/ David F. Levi
The Honorable DAVID F. LEVI
United States District Court Judge